

PATENT
ATTORNEY DOCKET NO.: 46884-5496

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Akimasa TANAKA) Confirmation No.: 2334
Application No.: 10/585,314) Group Art Unit: 2826
Filing Date: May 3, 2007) Examiner: Kevin V. Quinto
For: SEMICONDUCTOR)
LIGHT-EMITTING DEVICE AND)
ITS MANUFACTURING METHOD)

Sir:

**PETITION UNDER 37 C.F.R. § 1.313(c)
TO WITHDRAW APPLICATION FROM ISSUE**

Applicant hereby requests withdrawal from issue of the present application under 37 C.F.R. § 1.313(c)(2) in light of the Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 submitted herewith to permit consideration of an Information Disclosure Statement under 37 C.F.R. § 1.97(b) being concurrently filed.

Payment in the amount of \$940.00, to cover the Petition Fee of \$130.00 as set forth in 37 C.F.R. § 1.17(h) as well as the RCE filing fee of \$810.00, is concurrently made herewith by credit card. WARNING: Information on this form may become public. **Credit card information should not be included on this form.**

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees under 37 C.F.R. §§ 1.66 and 1.77 which may be required, including any required extension of time, fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



By:

Paul A. Fournier
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Dated: September 3, 2009

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